

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

(609) 989-2182

CHAMBERS OF
FREDA L. WOLFSON
UNITED STATES DISTRICT JUDGE

Clarkson S. Fisher Federal Building
& U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

August 18, 2017

To All Counsel

**RE: *In re Johnson & Johnson Talcum Powder Products Marketing,
Sales Practices and Products Liability Litigation***
MDL No. 2738

Counsel:

Magistrate Judge Goodman and I held a telephone conference with all parties on August 15, 2017, at which time we discussed the appointment of a special discovery master in this MDL. On the call, the Court proposed the appointment of the Hon. Joel Pisano, U.S.D.J. (now-retired). I noted that Judge Pisano has in the past sat as an MDL judge, that he has a background as a Magistrate Judge, handling substantial discovery disputes, and that he served numerous years as a district judge on our court. It was also noted that Judge Pisano is currently associated with a law firm that could assist him with providing expeditious resolution of discovery disputes. Defense counsel all assented to the appointment of Judge Pisano during the call. However, Ms. O'Dell, on behalf of Plaintiffs, requested some time to confer with other plaintiffs' counsel.

Today, Judge Goodman and I received a letter from Plaintiffs' counsel supporting the appointment of a special discovery master, but objecting to Judge Pisano serving in that role. The only objection given was Plaintiffs' belief that "because this multidistrict litigation involves such a significant and serious women's public health issue, the Special Master appointed in this case should be" a former female jurist. Counsel then provided the Court with three qualified former women judges. I find Plaintiffs' objection to be troubling, and not meriting further discussion. The suggestion that gender should play a role in the selection of a special master is completely without merit. In that regard, there being no *bona fide* objection to the appointment of Judge Pisano, I will be entering an order appointing him as the special discovery master.

Sincerely,

/s/ Freda L. Wolfson
Hon. Freda L. Wolfson
United States District Judge